IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

R.S.A. No.322 of 2006.

Date of decision : 22.9.2006.

Ishwar and others .....Appellants

versus

Jarnail Singh and others .....Respondents

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.

Present : Mr.Sudhir Aggarwal, Advocate,
for the appellants.

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ORDER

HEMANT GUPTA, J. (oral)

The defendants are in second appeal aggrieved against the judgment and decree passed by the Courts below, whereby suit for possession of the land measuring 7 marlas comprised in Killa No.138/4, was decreed. The said finding has been recorded on the basis of report of the Local Commissioner, Exhibit PW-2, whereby the revenue officials have demarcated the disputed khasra number in the presence of both the parties after identification of the pakka points.

Learned counsel for the appellants has vehemently argued that the learned First Appellate Court has recorded a finding that there is an infirmity in demarcation of the plot. However, it appears that the said wording in the judgment of the learned First Appellate Court is on account of mistake. A categorical finding has been recorded that the revenue officials have demarcated the disputed land in the presence of both the parties after fixing three pakka points.

No other point is urged.

In view of the findings recorded by the Courts below, I do not find any substantial question of law arises in the second appeal, for consideration of this Court as finding of facts above are sought to be disputed.

Dismissed in limine.

(HEMANT GUPTA)
JUDGE

September 22, 2006.

**mohinder*